2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

24 March 2010
English
Original: Arabic

New York, 3-28 May 2010

Implementation of the 1995 resolution concerning the establishment of a nuclear-weapon-free zone in the region of the Middle East

Working paper submitted by the Libyan Arab Jamahiriya

1. The Libyan Arab Jamahiriya affirms the utmost importance of the resolution concerning the establishment of a nuclear weapon free zone in the region of the Middle East that were adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. That resolution is organically and legally linked to that Treaty, in that its adoption was part of a package whereby it was agreed to indefinitely extend the Treaty. It is troubling that no serious attempt has been made to implement that resolution in the 15 years since it was adopted. At stake is the credibility of the international community and in particular the Depositary States who adopted the resolution at the time.

2. The Libyan Arab Jamahiriya affirms that swift implementation of the resolution and establishment of a nuclear weapon-free zone in the region of the Middle East will have a decisive impact on maintaining security and stability in the region and the world, and represents the only practical means of ensuring the non-proliferation of nuclear weapons in the Middle East. If the goal is to be achieved, a non-selective and unbiased international course will have to be adopted, together with a comprehensive regional approach that will guarantee security for all parties in the region.

3. Security and stability in the Middle East will not be achieved as long as Israel possesses nuclear weapons. On 11 December 2006, the Prime Minister of Israel admitted that his country possesses nuclear weapons. Israel is the only State in the Middle East that has neither acceded to nor announced its intention to accede to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). With a view to the establishment of a nuclear-weapon-free zone in the region of the Middle East, the international community and its institutions and, in particular, the Depositary States, are demanding that pressure should be brought to bear on Israel to accede to the Treaty without delay as a non-nuclear-weapon Party, place all its nuclear facilities and activities under the International Atomic Energy Agency (IAEA) Comprehensive Safeguards System, and renounce its nuclear weapons in accordance with United Nations Security Council resolution 487 (1981). It is therefore essential that practical steps should be taken at the 2010 Review Conference of the Parties to

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the Treaty on the Non-Proliferation of Nuclear Weapons towards the implementation of the resolution on the Middle East that was adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. At that Conference, the following goals were agreed:

- To reinforce non-proliferation;
- To achieve universal adherence to NPT;
- To establish a nuclear-weapon-free zone in the Middle East.

4. It was affirmed at the 2000 NPT Review Conference that the resolution on the Middle East that was adopted at the 1995 Review and Extension Conference remains valid until the goals and objectives are achieved. The resolution was an essential element of the basis on which NPT had been indefinitely extended in 1995. Nevertheless, the Israelis continue to defy the international community by not acceding to NPT and refusing to place all their nuclear facilities under the IAEA Comprehensive Safeguards System. That is a source of the most serious concern and has a negative impact on regional and international peace and security. The Libyan Arab Jamahiriya recalls that in recent years the United Nations General Assembly has repeatedly adopted by consensus a resolution calling for the establishment of a nuclear weapon free zone in the region of the Middle East and has continued to support the resolution entitled "The risk of nuclear proliferation in the Middle East". At its sixty-fourth session, that resolution (A/RES/64/66) was adopted by an overwhelming majority. In it, the General Assembly expressed concern about the threats posed by the proliferation of nuclear weapons to the security and stability of the Middle East region, noted that Israel remains the only State in the Middle East that has not yet become party to NPT, and reaffirmed the importance of placement of all Israeli nuclear facilities under comprehensive IAEA safeguards.

5. Each nuclear-weapon State Party to NPT must honour its undertaking not in any way to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices. That undertaking cannot be fulfilled when certain nuclear-weapon States ignore their obligations under the Treaty and flout all the relevant international resolutions and legislation by continuing to export nuclear technology to Israel, thereby reinforcing its nuclear arsenal. While that remains the case, the embargo on the export of such technology to other States in the region of the Middle East should be lifted.

6. The Libyan Arab Jamahiriya demands that the international community should seize the opportunity afforded by the convening of the 2010 Review Conference of the Parties to NPT and take practical measures towards the establishment of the nuclear-weapon-free zone in the region of the Middle East, by means of the following:

- Inviting the international community to pledge to implement the resolution on the Middle East that was adopted at the 1995 Review Conference and adopt an effective mechanism for application; inviting the United Nations to hold an international conference dedicated to the subject of the establishment of a nuclear-weapon-free zone in the region of the Middle East, in preparation for making that region completely free of all such weapons.

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2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

25 March 2010
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New York, 3-28 May 2010

The need to enhance the commitment to nuclear disarmament and promotion of the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by the Libyan Arab Jamahiriya

1. The world is becoming increasingly aware that international peace and security cannot be achieved while certain States possess or threaten to use nuclear weapons. Instead, practical and tangible steps should be taken towards full and comprehensive disarmament in order to ensure non-proliferation. The nuclear arms race should be halted, and fruitful cooperation between States consolidated. The best safeguard against the use of nuclear weapons is to ensure that they are not produced or developed, and to destroy stockpiles in a verifiable manner and under international control.

2. In its advisory opinion of 8 July 1996 concerning the legality of the threat or use of nuclear weapons, the International Court of Justice stated, inter alia, that the threat or use of nuclear weapons would in particular be contrary to the rules of international humanitarian law applicable in cases of armed conflict, and that there existed an obligation to pursue in good faith and to bring to a conclusion negotiations leading to nuclear disarmament under strict international control.

3. It is a cause for concern that, over four decades after the conclusion of the Treaty on the Non-Proliferation of Nuclear Weapons, the dangers posed by nuclear weapons continue to exist because a limited number of States have retained their nuclear arsenals and placed them in a state of high alert. Unfortunately, as there has been no tangible progress towards full nuclear disarmament, the objectives of the Treaty have not been achieved. They will remain a distant prospect so long as the sole point of emphasis is the commitment of non-nuclear States to refrain from acquiring nuclear weapons. Meanwhile, nuclear States fail to take any practical, tangible steps towards full nuclear disarmament. Nuclear States might argue that the acquisition and development of nuclear weapons are a part of their security and defence strategy, and are necessary in order to preserve world peace. Such justifications are unacceptable. According to that logic, it would also be a contribution to world peace if all States acquired nuclear weapons. The measures taken by nuclear States towards full and comprehensive disarmament therefore lack credibility.

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4. In 2003, the Libyan Arab Jamahiriya took unilateral steps to renounce all programmes and facilities that could be used to produce internationally banned weapons. The Libyan Arab Jamahiriya has come to be convinced that the non-proliferation regime can remain in place only if nuclear States provide sufficient evidence of their commitment to implement the provisions of the Treaty, and in particular article VI. They should take effective action to implement immediately the 13 practical steps agreed to at the 2000 Review Conference as a benchmark for progress. Such action should be transparent, verifiable and irreversible. It should include a tangible decrease in current nuclear arsenals, an end to production, and the destruction of stockpiles in a verifiable manner and under international control. As is well known, the 2000 Review Conference agreed on an unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI.

5. If we truly wish to eliminate nuclear weapons in a transparent and internationally verifiable manner, the time has come to strengthen the commitments that arise from the Treaty by strengthening the text of the Treaty. The Libyan Arab Jamahiriya understands that any amendment to the Treaty should be made in accordance with the procedures set forth therein, in particular in article VIII, and that the Review Conference does not have the authority to amend the Treaty. However, those facts are not incompatible with a desire to formulate proposals intended to strengthen the text of the Treaty, in a context of constructive dialogue and fruitful cooperation between States parties, with a view to reaching a consensus on the necessary amendments and convening a conference of States parties in order to achieve that goal. The amendments proposed by the Libyan Arab Jamahiriya consist of the following additional paragraphs.

I. The addition of a paragraph to the preamble, as follows:

> Calling upon all States to refrain from conducting a nuclear test explosion and to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty, thereby bringing the treaty into force at an early date.

II. The addition of two paragraphs to article VI, as follows:

> (a) All nuclear-weapon States Party to the Treaty undertake to pursue general and complete disarmament under strict and effective international control.
>
> (b) Each nuclear-weapon State Party undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency, for the primary purpose of the verification of the fulfilment of its obligation to achieve full and comprehensive nuclear disarmament.

6. The proposed additional paragraphs to the Treaty would strengthen and codify existing initiatives and commitments with regard to nuclear disarmament and would create momentum towards the ultimate goal of completely eliminating nuclear weapons throughout the world in a transparent and verifiable manner, under the supervision of the International Atomic Energy Agency (IAEA).

7. The Libyan Arab Jamahiriya believes that all States have the right to develop their capacity to use nuclear energy, and to carry out nuclear enrichment, for

exclusively peaceful purposes. In order for the Agency to have a truly international character, action should be taken to balance its monitoring and inspection roles, and to extend its authority to include all States, whether nuclear or non-nuclear. If its role is limited to dealing with non-nuclear States, then it will lose its international character and legitimacy, and its existence will not be recognized henceforth.

8. Achieving the universality of the Treaty is a fundamental condition for its effectiveness and credibility. That universal adherence to the Treaty has yet to be achieved affirms the importance of the full implementation of the outcomes of the 1995 Review and Extension Conference and of the 2000 Review Conference, in particular the resolution on the Middle East. In the absence of universal adherence to the Treaty, the situation in the Middle East continues to serve as a flagrant example of how ineffective the Treaty has been in helping States parties achieve security. While the States of the region have acceded to the Treaty and have placed their nuclear facilities under the comprehensive safeguards regime of IAEA, Israel remains outside the Treaty and continues to engage in non-peaceful nuclear activities without any international supervision. In order to strengthen the effectiveness and credibility of the Treaty and the decision that it should continue in force indefinitely, it is vital that the 2010 Review Conference should adopt an effective plan of action for achieving universal adherence to the Treaty that includes a series of practical measures aimed at achieving its universality in a systematic and gradual manner, in accordance with the principles and objectives set forth in Decision 2 of the 1995 Review Conference.

9. Urgent action should be taken to adopt an unconditional and legally binding international instrument in order to provide security assurances to non-nuclear-weapon States regarding the use or the threat of the use of nuclear weapons against them. Such assurances would undoubtedly serve to reinforce the objectives of the Treaty.

10. During their fifteenth summit held in Sharm el-Sheikh, Egypt, from 11 to 16 July 2009, the Heads of State and Government of the Non-Aligned Movement affirmed their principled positions on nuclear disarmament. They stressed that efforts aiming at nuclear non-proliferation should be parallel to simultaneous efforts aiming at nuclear disarmament. They also reaffirmed the need for the Conference on Disarmament to start negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time, including the conclusion of a nuclear weapons convention.

11. The Libyan Arab Jamahiriya would welcome any serious nuclear disarmament initiative, and in that regard takes note of the stated intention of Mr. Barack Obama, President of the United States of America, to take new and positive steps towards nuclear disarmament, notably in the context of the ongoing discussions between the United States of America and the Russian Federation to rid the world of nuclear weapons. It also takes note of his stated desire to move towards ratification of the Comprehensive Nuclear-Test-Ban Treaty and to initiate negotiations for a treaty to prohibit the production of fissile materials for nuclear weapons purposes. The Libyan Arab Jamahiriya stresses that these intentions must be translated into substantive measures, including a timetable for the elimination of all nuclear weapons, in order for the world to see progress towards implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons.

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2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

28 March 2010

Original: English

New York, 3-28 May 2010

Proposed elements for the final document of the 2010 Review Conference on strengthening the technical cooperation activities of the International Atomic Energy Agency

Working paper submitted by Japan

The Review Conference,

1. Reaffirms that, under the Treaty on the Non-Proliferation of Nuclear Weapons, the States parties enjoy the inalienable right to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with its articles I, II and III, and supports the work of the International Atomic Energy Agency (IAEA) in assisting States parties, in particular developing countries, in the peaceful uses of nuclear energy;

2. Emphasizes that international technical cooperation in the area of the peaceful uses of nuclear technology is one of the two main objectives enshrined in the IAEA statute, and that it plays a key role in achieving the goal of the Treaty;

3. Emphasizes the importance of the technical cooperation activities of IAEA, and stresses the importance of nuclear knowledge sharing and the transfer of nuclear technology to developing countries for the maintenance and further enhancement of their scientific and technological capabilities, thereby also contributing to their socio-economic development in areas such as human health, including the application of nuclear technology in cancer therapy, water resources, industry, food, nutrition and agriculture;

4. Underlines that technical cooperation activities of IAEA contribute, in an important way, to meeting energy needs, improving health, combating poverty, protecting the environment, developing agriculture, managing the use of water resources and optimizing industrial processes, thus helping to achieve the Millennium Development Goals, and that these activities, in addition to bilateral and other multilateral cooperation, contribute to achieving the objectives set forth in article IV of the Treaty;

5. Notes the continuous efforts by IAEA and its member States to enhance the effectiveness and efficiency of the Agency's technical cooperation programmes

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in partnership and in the light of changing circumstances and the needs of concerned States;

6. Stresses that the Agency's resources for technical cooperation activities should be sufficient, assured and predictable, to meet the objectives mandated in article II of the IAEA statute, notes with appreciation the 94.7 per cent rate of attainment at the end of 2008, and looks forward to reaching the rate of 100 per cent, which is central to reconfirming the commitment of IAEA member States to the Agency's technical cooperation programme, and thus recalls that the financing of technical cooperation activities should be in line with the concept of shared responsibility and that all members share a common responsibility towards financing and enhancing these activities;

7. Underlines the essential role of IAEA in assisting developing States parties in the peaceful uses of nuclear energy in a manner that ensures nuclear non-proliferation, safety and security.

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2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

25 March 2010

Original: English

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Implementation of the 1995 resolution and 2000 outcome on the Middle East

Working paper submitted by Egypt

1. The third session of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in New York, recommended by consensus that agenda item 16 of the Conference would be "Review of the operation of the Treaty as provided for in article VIII, paragraph 3, taking into account the decisions and the resolutions adopted by the 1995 NPT Review and Extension Conference and the Final Document of the 2000 Review Conference".

2. Egypt submitted several working papers on the issue of the implementation of the 1995 resolution on the Middle East at the first, second and third sessions of the Preparatory Committee (NPT/CONF.2010/PC.I/WP.13, NPT/CONF.2010/PC.II/WP.20 and NPT/CONF.2010/PC.III/WP.20). The three working papers contained substantive recommendations on concrete measures and actions needed for the full implementation of the 1995 resolution on the Middle East.

3. Egypt considers it imperative that the 2010 Review Conference adopt the following recommendations on the implementation of the 1995 resolution and the 2000 outcome on the Middle East:

(a) the Conference reconfirms the unequivocal commitment to the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference. The Conference expresses regret that since the adoption of the resolution on the Middle East and the decision on the indefinite extension of the Treaty 15 years ago, no progress has taken place on the implementation of the resolution. The States parties hereby renew their resolve to undertake, individually and collectively, all necessary measures aimed at the prompt implementation of the resolution, including the accession by Israel to the Treaty as soon as possible as a non-nuclear-weapon State and the placement of all its nuclear facilities under the full scope of International Atomic Energy Agency (IAEA) safeguards, as well as the establishment of the nuclear-weapon-free zone in the Middle East;

(b) the Conference reaffirms the importance of the early realization of universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, as

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outlined in the three decisions and in the resolution on the Middle East within the overall 1995 package and the Final Document of the 2000 Review Conference, and calls upon Israel to promptly accede to the Treaty as a non-nuclear-weapon State and place all its nuclear facilities under comprehensive IAEA safeguards;

(c) the Conference stresses the importance of strict adherence by all States parties to their obligations and commitments under the Treaty in all three pillars, nuclear disarmament, non-proliferation and peaceful uses of nuclear energy, and reaffirms that any supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to Israel should require, as a necessary precondition, Israel's accession to the Treaty as a non-nuclear-weapon State and the placement of all its nuclear facilities under comprehensive IAEA safeguards. The Conference stresses that the transfer of nuclear-related equipment, information, material and facilities, resources or devices not consistent with the obligations of States parties under the Treaty and the indefinite extension package constitutes a material breach of the Treaty. The Conference further stresses the need to respect the letter and spirit of the Treaty with respect to technical cooperation with States not party to the Treaty;

(d) the Conference decides to convene, by 2011, an international conference to launch negotiations, with the participation of all States of the Middle East, on an internationally and effectively verifiable treaty for the establishment of a nuclear-weapon-free zone in the Middle East;

(e) the Conference further requests IAEA to prepare background documentation for the above-mentioned conference regarding the modalities for verification of a nuclear-weapon-free zone in the Middle East, based upon the work previously undertaken by the Agency relating to the establishment of the zone and the implementation of similar international agreements establishing nuclear-weapon-free zones in other regions;

(f) the Conference requests States parties to disclose in their national reports on the implementation of the resolution on the Middle East all information available to them on the nature and scope of Israeli nuclear facilities and activities, including information pertaining to previous nuclear transfers to Israel;

(g) the Conference decides to establish a standing committee to follow up in the intersessional period progress achieved in the implementation of the resolution on the Middle East and to conduct consultations with States of the region in that regard, as well as to undertake necessary preparations for the convening of the international conference on the establishment of the nuclear-weapon-free zone in the Middle East. The standing committee will be composed of the chair of the Conference, the three depository States that sponsored the 1995 resolution, the chairs of the three main committees of the 2010 Review Conference and the chairs of the negotiating groups (Non-Aligned Movement, Western European and Other States Group and the Eastern European Group).

4. Furthermore, Egypt calls for the establishment of a subsidiary body to Main Committee II of the 2010 Review Conference mandated with the formulation of a follow-up mechanism for the above-mentioned measures and actions necessary for the implementation of the 1995 resolution on the Middle East.

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2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

29 March 2010

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Articles III (3) and IV, and the sixth and seventh preambular paragraphs, especially in their relationship to article III (1), (2) and (4) and the fourth and fifth preambular paragraphs (nuclear safety)

Working paper submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden ("the Vienna Group of Ten")

Draft review language

1. The Conference acknowledges the primary responsibility of individual States for maintaining the safety of nuclear installations within their territories, or under their jurisdiction, and the crucial importance of an adequate national technical, human and regulatory infrastructure in nuclear, radiation, transport and radioactive waste safety management. Noting that international cooperation and coordination on all safety-related matters is also indispensable, the Conference encourages the intensification of national measures and international cooperation in order to strengthen nuclear and radiation safety, including the efforts of the International Atomic Energy Agency (IAEA) in this regard.

2. The Conference urges all member States commissioning, constructing or planning nuclear power reactors or considering nuclear power programmes to become party to the Convention on Nuclear Safety, and would welcome a voluntary application of the relevant provisions of the Convention to other nuclear installations dedicated to the peaceful uses of nuclear energy. The Conference also encourages the application by member States of IAEA safety standards and codes to improve national nuclear, radiation, transport and waste safety infrastructures.

3. The Conference endorses the IAEA regulations for the safe transport of radioactive material and affirms that it is in the interests of all States that the transportation of radioactive materials be conducted in compliance with international standards of safety, security and environmental protection. The Conference takes note of the concerns of small island developing States and other coastal States with regard to the transportation of radioactive materials by sea and, in this regard, welcomes efforts to improve communication between shipping and

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coastal States for the purpose of addressing concerns regarding transport safety, security and emergency preparedness.

4. The Conference stresses the importance of having effective early notification, assistance and liability mechanisms in place to insure against harm to human health, the environment and actual economic loss due to a nuclear or radiological accident or incident and urges all States that have not yet done so to become party to the Convention on Early Notification of a Nuclear Accident and to the Convention on Assistance in Case of a Nuclear Accident or Radiological Emergency. The Conference encourages relevant States give consideration to adherence to the international instruments relating to liability for nuclear damage.

5. The Conference urges member States to become party to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, and to actively further efforts to develop and implement disposal and long-term storage solutions for spent fuel and high-level radioactive waste. The Conference encourages IAEA in its work on radioactive waste management solutions, including further implementation of the IAEA action plan on the safety of radioactive waste management.

Annex

Working paper: nuclear safety

1. The Vienna Group of Ten (hereafter "the Vienna Group") notes that a demonstrated global record of safety in all activities throughout the nuclear fuel cycle is a key element for the peaceful uses of nuclear energy and that continuous efforts are needed to ensure that all elements of safety culture are maintained at the optimal level. Although safety is a national responsibility, international cooperation is vital for the exchange of knowledge and learning from best practices.

2. The Vienna Group affirms that the Non-Proliferation Treaty can help to ensure that international cooperation in nuclear safety will take place in an appropriate non-proliferation framework. The Group acknowledges the primary responsibility of individual States for the safety of nuclear installations within their territories, or under their jurisdiction, and the crucial importance of an effective national technical, human and regulatory infrastructure in nuclear, radiation, transport and radioactive waste safety management.

3. The Vienna Group stresses the important role of the International Atomic Energy Agency (IAEA) in enhancing nuclear, radiation, transport and waste safety through its various safety programmes and initiatives and in promoting international cooperation in this regard. The Group reaffirms the importance of States developing and improving their national nuclear, radiation, transport and waste safety infrastructures.

4. The Vienna Group endorses the work of the IAEA Commission on Safety Standards and the Safety Standards Committees in the preparation of internationally recognized safety fundamentals, requirements and guides. The IAEA Fundamental Safety Principles, approved in September 2006, continue to provide a unified conceptual basis for the ongoing development of safety standards. The Group welcomes the work that has been started by the Commission to review the overall structure of IAEA safety standards, and to revise, and where possible, improve the International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources.

5. The Vienna Group welcomes and endorses the Convention on Nuclear Safety and urges all States constructing or planning nuclear power reactors, or considering a nuclear power programme, which have not yet taken the necessary steps to become a party to the Convention, to do so. The Group notes that all States currently operating nuclear power plants are party to the Convention. The Group highlights the need to avoid complacency regarding safety, the importance of the independence of the regulatory body, and the challenges concerning the availability of well-trained staff, and acknowledges the active role of the IAEA secretariat in highlighting key issues and trends.

6. The Vienna Group welcomes the adoption by IAEA of the Code of Conduct on the Safety of Research Reactors and endorses the guidance set out therein on the safe management of research reactors. The Group urges States to apply the guidance in the Code and the relevant safety standards to the management of research reactors. The Group recognizes that there are a number of ongoing challenges for the safety of research reactors, including the ageing of facilities and the availability of well-trained staff.

7. The Vienna Group endorses the activities of IAEA directed towards strengthening nuclear safety in operating power and research reactors. Specific activities include international peer review services, such as the Engineering Safety Review Services, the Operational Safety Review Team, the International Probabilistic Safety Assessments Review Team, the International Regulatory Review Service, the Integrated Safety Assessment of Research Reactors and the Safety Culture Assessment Review Team, and support to the regulatory bodies and other relevant areas of the infrastructure of States through technical assistance programmes.

8. The Vienna Group welcomes implementation by the IAEA secretariat of the Plan of Activities on the Radiation Protection of the Environment, including through the formation and ongoing meetings of the Coordination Group on Radiation Protection of the Environment, which facilitates the coordination of activities related to the protection of non-human species and advises IAEA on the implementation of the Plan of Activities. The Group encourages further cooperation between IAEA and relevant international organizations and stakeholders in promoting a coherent international policy regarding the radiological protection of the environment.

9. The Vienna Group welcomes the efforts of the United Nations Scientific Committee on the Effects of Atomic Radiation to assess and report on the levels and effects of exposure to ionizing radiation and also welcomes the consideration by IAEA of the Committee's scientific results. The Group notes that many States parties rely on Committee estimates as the scientific basis for evaluating radiation risk and for establishing protective measures.

10. The Vienna Group welcomes the adoption by the IAEA Board of Governors of the Code of Conduct on the Safety and Security of Radioactive Sources and supports the comprehensive action plan for its implementation, which was subsequently adopted by the Board. The Group welcomes the approval by the IAEA Board of Governors on the Guidance on the Import and Export of Radioactive Sources and recalls that the IAEA General Conference has encouraged States to act in accordance with the Guidance on a harmonized basis. The Group calls upon all States parties to make a political commitment to the Code and the Guidance and to subsequently implement it. The Group looks forward to the Open-ended Meeting of Technical and Legal Experts for Sharing of Information as to States' Implementation of the Code of Conduct on the Safety and Security of Radioactive Sources and its supplementary Guidance on the Import and Export of Radioactive Sources to be held by IAEA in Vienna in May 2010.

11. The Vienna Group commends IAEA efforts in waste management and endorses IAEA programmes to assist member States in this area through, inter alia, safety standards for the handling of radioactive waste, peer reviews and technical assistance activities. The Group notes the outcomes of the third Review meeting of the Contracting Parties to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management held in Vienna in May 2009. The Group welcomes progress made in implementing the IAEA action plan on the safety of radioactive waste management. The Group welcomes the progress made towards achieving disposal and long-term storage solutions for spent fuel and high-level radioactive waste.

12. The Vienna Group notes the importance of remediating the various nuclear legacy challenges and encourages IAEA to facilitate ongoing international efforts in this regard.

13. The Vienna Group notes the adoption of the 1997 Protocol to Amend the 1963 Vienna Convention on Civil Liability for Nuclear Damage, the Convention on Supplementary Compensation for Nuclear Damage and the 2004 Protocol to Amend the 1960 Paris Convention on Third Party Liability in the Field of Nuclear Energy, and encourages relevant States that have not yet done so to give consideration to adherence to those instruments.

14. The Vienna Group stresses the importance of having effective liability mechanisms in place to insure against harm to human health and the environment as well as actual economic loss due to an accident or incident during the maritime transport of radioactive materials. The Group welcomes the valuable work of the IAEA International Expert Group on Nuclear Liability, including the examination of the application and scope of the IAEA nuclear liability regime and the consideration and identification of further specific actions to address any gaps in scope and coverage of the regime.

15. The Vienna Group recognizes that nuclear and radiological incidents and emergencies, and acts with malicious intent associated with nuclear and radiological terrorism, may lead to significant radiological consequences over wide geographical areas, generate a pressing need for authoritative information to address public and media concerns and require an international response. The Group urges all States that have not yet done so to take the necessary steps to become parties to the Convention on Early Notification of a Nuclear Accident and to the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency.

16. The Vienna Group welcomes the implementation of the IAEA action plan for strengthening the international preparedness and response system for nuclear and radiological emergencies, looks forward to its further implementation and encourages further measures to improve the overall international emergency response capability, particularly with regard to potential incidents during transport. The Group welcomes the establishment and ongoing work of the IAEA Incident and Emergency Centre, which serves as the IAEA focal point for responding to nuclear or radiological incidents and emergencies and for promoting improvement in emergency response and preparedness.

17. The Vienna Group welcomes IAEA addressing the issue of denials of shipments of radioactive materials and the formation of the International Steering Committee on denial of shipments of radioactive material to coordinate international efforts aimed at resolving issues related to the denial of shipments. The Group welcomes the focus of the action plan on the promotion of communication and training and urges the secretariat to actively facilitate the work of the Steering Committee. The Group encourages further cooperation with other bodies associated with the transport of dangerous goods, including the International Civil Aviation Organization and the International Maritime Organization.

18. The Vienna Group reaffirms maritime and air navigation rights and freedoms, as provided for in international law and as reflected in relevant international instruments, and stresses the importance of international cooperation to enhance the safety of international navigation. The Group welcomes implementation of the

IAEA action plan on the safety of the transport of radioactive materials, commends States that have made use of the IAEA Transport Appraisal Service and encourages other States to avail themselves of those services and to improve transport practices. The Group affirms that it is in the interests of all States that the maritime and other transportation of radioactive materials be conducted in compliance with international standards of safety, security and environmental protection and that States have under international law the obligation to protect and preserve the maritime environment.

19. The Vienna Group notes concerns about a potential accident or incident during the transport of radioactive materials by sea and about the importance of the protection of people, human health and the environment as well as protection from actual economic loss as defined in international law due to an accident or incident. The Group welcomes the practice of some shipping States and operators of providing in a timely manner information and responses to relevant coastal States in advance of shipments of radioactive materials for the purpose of addressing concerns regarding safety and security, including emergency preparedness. The Group welcomes informal discussions on communication between shipping States and relevant coastal States with IAEA involvement, notes the intention to hold further discussions with IAEA involvement and looks forward to progress towards understanding and addressing the concerns of coastal and shipping States. The Group also welcomes discussions at the bilateral level between relevant shipping and coastal States on issues of mutual concern.